



CITY OF NEWPORT BEACH

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May 28, 2024

The Honorable Chris Ward
California State Assembly
1021 O Street, Room 6350
Sacramento, CA 95814

Mayor

Will O'Neill

Mayor Pro Tem

Joe Stapleton

Council Members

Brad Avery

Noah Blom

Robyn Grant

Lauren Kleiman

Erik Kenneth Weigand

**RE: AB 3093 (Ward): Land Use: Housing Element: Streamlined
Multifamily Housing
City of Newport Beach – Notice of Opposition**

Dear Assembly Member Ward,

On behalf of the City of Newport Beach, I write to express our respectful opposition to AB 3093 (Ward). AB 3093 creates two new income categories, Acutely Low Income (ALI) and Extremely Low Income (ELI), in the Regional Housing Needs Determination (RHND), Regional Housing Needs Allocation (RHNA), and housing element law.

The two new income categories under AB 3093 are intended to help assess the needs of homeless residents. Homeless residents are reported under the existing very low-income category, which currently accounts for the needs of individuals in cities earning between 0% and 50% of the area median income.

The City of Newport Beach shares the goal of preventing and reducing homelessness and increasing the supply of affordable housing in communities. However, the City is concerned that the requirements under AB 3093 will lead to duplicating planning efforts. Specifically, the existing housing element law already requires cities to assess the need for emergency shelters and assist in developing adequate housing to meet the needs of extremely low-income households. It also requires cities to identify sites and encourage the development of a variety of housing, including supportive housing and transitional housing. Through these processes, local governments are doing more than ever to plan for the needs of unhoused residents in their communities.

AB 3093 lacks clarifying language for local governments to be able to carry out the measure's obligations successfully and efficiently. Specifically, this measure lacks clarification on how allocations for the new categories will be determined and fails to provide direction on how the sites identified for ALI and ELI should differ from the housing cities are currently planning for through the very low-income category. Additionally, the Legislature needs to provide direction on density as a benchmark for identifying sites. Without these changes, cities will be set up to fail, leading to even more housing elements being deemed out of compliance.

The City of Newport Beach believes that progress in preventing and reducing homelessness, and increasing the supply of affordable housing will require ongoing funding that allows for the development of long-term, ambitious plans that support unhoused residents and prevent more individuals from losing their homes. In the absence of ongoing funding to address homelessness, the complicated requirements included in AB 3093 fail to expand or develop a local

governments' capacity to address immediate homelessness challenges across California.

For these reasons, the City of Newport Beach respectfully opposes AB 3093.

Sincerely,



Will O'Neill
Mayor

cc: Senator Janet Nguyen
Assemblymember Diane Dixon
Newport Beach City Council